REMARKS

At present, Claims 13-15 and 23-25 stand rejected under the second paragraph of 35 U.S.C. § 112. Additionally, Claims 1-25 stand rejected under 35 U.S.C. § 103 based upon the patent to Davis et al. (US patent number 5,937,399 issued August 10, 1999) in view of the US patent to Paskowitz (US patent number 6,377,937 issued April 23, 2002). In light of the amendments made herein and the comments presented below these rejections are respectfully traversed. Accordingly, Claims 1-25 remain pending in the instant application.

With respect to the art that the Examiner has cited it is noted that the patent to Davis et al. is directed to a distributed workflow management system. However, beyond this superficial similarity, the claimed invention and the teachings found within the patent to Davis et al. are not at all similar.

For example, applicants' claim 1 is directed to a computerized method of automatically providing access to an application service. As a first step in this method applicants' recite a step of analyzing a process model, defining an execution path through the process model and creating an application service description document. With respect to this claim step the Examiner refers to column 6, lines 7-11 from the patent to Davis et al. However, what Davis et al. show in column 6, lines 7-11 is not a step of analyzing anything. This citation to the patent to Davis et al. instead refers to a workflow process which is represented as a directed graph as shown in their Figure 3. In this regard, it is noted that analyzing a process model even if that model is represented by a directed graph is not the same as the directed graph itself. Furthermore, there is no creation of an application service description document for an execution path. Likewise, there is no application service creation characterized by retrieving and aggregating for elements of the execution path.

The Examiner's reference to column 6, lines 22-23 merely indicate that "forward arcs represent the normal execution flow of process activities and form a directed acyclic graph 40." In the patent to Davis et al., these are givens. In the recited claimed process herein these are objects to be analyzed. The recitation of an object does not in any way teach, disclose or suggest a process step of analyzing that object. This is particularly true in the case of the patent to Davis et al.

The Examiner goes on further to assert that applicants' recitation of "creating an application service description document for said execution path" is equivalent to generating a case packet for each process instance as recited in column 7, lines 20-21 and column 5, lines 6-12 from Davis et al. However, in no sense is generating a case packet seen to be taught, disclosed or suggested by a step of creating an application service description document. One is the generation of a case packet, the other is the creation of a specific document. These are in no sense the same activities.

The Examiner also refers to the notion that the patent to Davis et al. teaches execution flow process activities. Furthermore, the Examiner asserts that this is equivalent to defining an execution path through the process as an application service. However, the discussion of execution flow process activities even considering that they are represented by a process model is not in any way the same activity. However, teaching the existence of an already present execution flow path on one hand and on the other hand defining an execution path as an application service have nothing in common. Moreover, Davis et al. do not in any way talk about application services.

Furthermore, it is noted that the notion of a case packet is distinct from the document referred to in applicants' claims. It would appear from Davis et al. that a case packet is nothing more than a portion of data that holds the data associated with a particular process instance that is routed from activity to activity. In contrast, in the present invention, an application service description document is generated for each

execution path. In applicants' claimed invention this is a process that occurs on the model level not on the process instance level.

The Examiner also attempts to draw further analogies between the contents of the patent to Davis et al. and applicants' claims and teachings. The Examiner asserts that when the resource manager in Davis et al. responds by returning an address list, to be used to effect the work, that this is equivalent to the claimed invention step of retrieving and aggregating elements of the execution path associated with element specifications from the process model. Clearly the present invention particularly as claimed, refers to aggregating element specifications on a particular execution path. There is not even the remotest resemblance between these two concepts.

From the above, it should be fully appreciated that the base patent upon which the Examiner relies in support of the rejection under 35 U.S.C. § 103 is in fact unrelated to applicants' claimed invention. Only the slightest similarity exists, namely a discussion of workflow processes or workflow process models. But beyond this, the claimed invention and the cited patent to Davis et al. have nothing in common as clearly indicated above. For this reason, it is seen that the rejection of applicants' claims 1-25 can not be supported based on the art cited by the Examiner. It is therefore respectfully requested that this rejection be withdrawn.

With respect to the rejection under 35 U.S.C. § 112, it is noted that four out of six of these claims have been canceled thus rendering this rejection moot with respect to those claims. With respect to the two remaining claims that have been rejected under 35 U.S.C. § 112, it is noted that these claims are in fact in the standard format employed for program product claims and accordingly are neither vague nor indefinite. It is therefore respectfully requested that the Examiner also withdraw the rejection of these claims as well.

It is noted that the present response does not require the payment of any additional fees. It is also noted that any amendments being made herein are being made as of right.

Accordingly, it is now seen that all of the applicants' claims are in condition for allowance. Therefore, early notification of the allowability of applicants' claims is earnestly solicited. Furthermore, if there are any other matters which the Examiner feels could be expeditiously considered and which would forward the prosecution of the instant application, applicants' attorney wishes to indicate his willingness to engage in any telephonic communication in furtherance of this objective. Accordingly, applicants' attorney may be reached for this purpose at the numbers provided below.

Respectfully Submitted,

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